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Please amend claim 21 as follows:

21. (Amended) A sensor for detecting the presence of moisture, comprising:

a resonant circuit having a resonance frequency and being at least partly formed from a moisture sensitive material having an electrical resistance which increases when in contact with moisture,

said sensor being arranged to be wirelessly activated by an electromagnetic interrogation field when present in the electromagnetic interrogation field to cause the resonant circuit to start to resonate and thereby generate a response to the electromagnetic interrogation field,

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said sensor having an inactive state when said resonant circuit does not resonate and an activated state when said resonant circuit resonates whereby said sensor detects the presence of moisture when in the activated state,

said sensor comprising a microprocessor connected with said resonant circuit and in which an identification code is stored, the identification code being passed to said resonant circuit when said resonant circuit is resonated by an electromagnetic interrogation field.

REMARKS

Reconsideration of the present application, as amended, is respectfully requested.

Please replace the portion of the specification as indicated above and pending claims 1, 10, 13, 19 and 21 with the revised form of the claims. Attached hereto is a marked-up version of the changes made to the specification and claims by the amendment. The attached appendix is captioned **"Version with Markings to Show Changes Made."**

A. STATUS OF THE CLAIMS

As a result of the present amendment, claims 1-21 are presented in the case for continued prosecution.

B. THE DRAWINGS

In response to the objection to the drawings, submitted herewith is proposed revised Fig. 1 in which the boxes 4.1, 4.i, 4.m and 24 are labeled in accordance with the description in the

specification. No new matter is added. Formal drawings incorporating these changes, if approved, will be submitted upon issuance of a Notice of Allowance.

C. THE SPECIFICATION

The specification has been amended to correct an error in the description of the subject matter of the DE 40 30 284 reference (DE '284). Specifically, a literal translation of this reference has indicated that it describes a moisture sensor having a resistance that decreases with increasing moisture and thus the specification has been amended accordingly. No new matter is added by the change to the specification.

D. REJECTION UNDER 35 U.S.C. §103(a)

Claims 1-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over DE 4030284 (DE '284) in view of Roberts (GB 2192059) and Nishijima et al. (EP 0329436).

The Examiner's rejection is respectfully traversed on the grounds that DE '284, Roberts and Nishijima et al. do not, taken in combination, disclose all of the features of independent claims 1, 19 and 21.

With respect to independent claim 1, DE '284, Roberts and Nishijima et al. do not disclose a sensor which has an inactive state and an activated state and is "wirelessly activated by an electromagnetic interrogation field" when present therein to generate a response thereto and a transmitter-receiver device which generates the electromagnetic interrogation field. In the invention, the transmitter-receiver device generates an electromagnetic interrogation field which is wirelessly propagated and "wirelessly activates said at least one sensor to generate a response to the electronic interrogation field" and the response of the sensor(s) is wirelessly received by the transmitter-receiver device. Thus, the entire activation of the sensor and receipt of data from the sensor is all performed wirelessly.

Activation of the sensor by the electromagnetic interrogation field in the invention is desired because the sensor may be in an inactive state and only operates to perform a sensing function when activated. Activation of the sensor will cause the resonant circuit to start to resonate and vibrate. Thus, unless the sensor is in the electromagnetic interrogation field, it will

not be activated, i.e., the resonant circuit will not start to resonate, and the sensor will thus not conduct a moisture detection.

Roberts does not disclose wireless activation of a sensor for electromagnetic interrogation or any activation of a sensor. The sensing device 7 in Roberts is not activated by the piezo-electric generator 5 or by the mechanical shock impulse generator 8. Rather, the sensing device 7 is continually active and conducting measurements, i.e., providing a signal which controls the signal transmitted from aerial 6. There is thus absolutely no wireless activation of a sensor in Roberts.

As such, Roberts does not disclose, teach or suggest wirelessly activating a sensor and wirelessly receiving a response based on the wireless activation of the sensor. Since DE '284 and Nishijima et al. also do not disclose these features, one skilled in the art could not combine any purported teachings of these references and arrive at the present invention.

Moreover, the Examiner's position that it would have been obvious to modify DE '284 to include a moisture sensitive material that increases its resistance when it comes into contact with moisture in view of Nishijima et al. is respectfully traversed because DE '284 and Nishijima et al. relate to totally different materials. DE '284 describes the use of a material whose resistance decreases with increasing moisture whereas Nishijima et al. describes a material whose resistance increases with increasing moisture. There is absolutely no reason or incentive for one of ordinary skill in the art to replace the material of DE '284 with the diametrically opposite material of Nishijima et al.

With respect to independent claims 19 and 21, these claims are amended to recite that the sensor is arranged to be wirelessly activated by an electromagnetic interrogation field when present in the electromagnetic interrogation field to cause the resonant circuit to start to resonate and thereby generate a response to the electromagnetic interrogation field, and thus has an inactive state when the resonant circuit does not resonate and an activated state when the resonant circuit resonates. DE '284, Roberts and Nishijima et al. do not disclose, teach or suggest a resonant circuit which is caused to resonate when present in an electromagnetic interrogation field and therefore cannot be combined to arrive at the embodiments of the invention set forth in claims 19 and 21.

Moreover, with respect to claim 21, as well as dependent claim 17, the cited prior art does not disclose a microprocessor connected with a resonant circuit and in which an identification code is stored, with the identification code being passed to the resonant circuit when the resonant circuit is resonated by an electromagnetic interrogation field. DE '284 describes a coding circuit of the measuring circuit and not any microprocessor which is part of a sensor (the sensor comprising a microprocessor as set forth in claims 17 and 21 implies that the microprocessor is part of the sensor).

Accordingly, in view of the changes to claims 1, 19 and 21 and the arguments presented above, it is respectfully submitted that the Examiner's rejection of the claims as being unpatentable over DE '284 in view of Roberts and Nishijima et al. has been overcome and should be removed and that the present application is now in condition for allowance.

E. EXTENSION OF TIME PETITION

This response is being filed with a petition for a two-month extension of time. The fee therefore is to be charged to the undersigned's credit card using the enclosed PTO form. This petition extends the deadline for filing the response from April 29, 2003 to June 29, 2003. No further fees are believed to be required. If, on the other hand, it is determined that any further fees are due or any overpayment has been made, the Assistant Commissioner is hereby authorized to debit or credit such sum to Deposit Account .02-2275.

Pursuant to 37 C.F.R. §1.136(a)(3), please treat this and any concurrent or future reply in this application that requires a petition for an extension of time for its timely submission as incorporating a petition for extension of time for the appropriate length of time, The fee associated therewith is to be charged to Deposit Account No. 02-2275.

F. CONCLUSION

In view of the actions taken and arguments presented, it is respectfully submitted that the present application is now in condition for allowance.

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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By:_____
Michael N. Mercanti

Docket No. 310.1019

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: JACKSON, Andre K. Art Unit: 2856

Re: Application of: **VAN DE BERG, JAN**

Serial No.: 09/786,841

Filed: March 9, 2001

For: **SYSTEM FOR DETECTING THE PRESENCE OF MOISTURE**

APPENDIX-Version with Markings to Show Changes Made

IN THE SPECIFICATION

The paragraph beginning at page 1, line 14 has been amended as follows:

Such a system is known from DE 40 30 284. In the known system, the reading device is provided with a measuring circuit comprising a transformer connected to the resonance circuit. The resonant circuit comprises a material from which the electrical resistance ~~increases~~ decreases when the material comes into contact with moisture.

IN THE CLAIMS:

Claim 1 has been amended as follows:

1. (Twice Amended) A system for detecting the presence of moisture, comprising:

at least one electronic sensor having an inactive state and an activated state, said at least one sensor being arranged to detect ~~for detecting~~ the presence of moisture when in the activated state, said at least one sensor comprising a resonant circuit having a resonance frequency and being at least partly formed from a moisture sensitive material having an electrical resistance which increases when in contact with moisture, said at least one sensor being arranged to be

wirelessly activated by an electromagnetic interrogation field when present in the electromagnetic interrogation field to generate a response to the electromagnetic interrogation field; and

at least one reading device for obtaining information from said at least one sensor about the presence of moisture,

said at least one reading device comprising a transmitter-receiver ~~means for generating~~ device structured and arranged to generate an electromagnetic interrogation field and ~~for recording~~ record the response of said at least one sensor to the electromagnetic interrogation field to obtain information about the presence of moisture at said at least one sensor,

said transmitter-receiver ~~means~~ device comprising at least one frequency component corresponding to the resonance frequency of said resonant circuit,

said transmitter-receiver ~~means~~ device being structured and arranged relative to said at least one sensor such that the electromagnetic interrogation field generated by said transmitter-receiver ~~means~~ device is wirelessly propagated and wirelessly activates said at least one sensor to generate a response to the electronic interrogation field and the response of said at least one sensor is wirelessly received by said transmitter-receiver ~~means~~ device.

Claim 10 has been amended as follows:

10. (Amended Three Times) A system according claim 1, wherein said ~~the~~ transmitter-receiver ~~means are~~ device is designed as a transmission system for detecting an electromagnetic response signal generated by said at least one sensor in response to the electromagnetic interrogation field.

Claim 13 has been amended as follows:

13. (Amended Three Times) A system according to claim 1, wherein said transmitter-receiver ~~means are~~ device is designed as an absorption system for detecting energy absorbed from the interrogation field by said at least one sensor in response to the electromagnetic interrogation field.

Claim 19 has been amended as follows.

19. (Amended Three Times) A sensor for detecting the presence of moisture, comprising:

a resonant circuit having a resonance frequency and being at least partly formed from a moisture sensitive material having an electrical resistance which increases when in contact with moisture, the moisture sensitive material being arranged on a carrier material in the form of a coating, at least part of said circuit being formed by said coating,

said sensor being arranged to be wirelessly activated by an electromagnetic interrogation field when present in the electromagnetic interrogation field to cause the resonant circuit to start to resonate and thereby generate a response to the electromagnetic interrogation field,

said sensor having an inactive state when said resonant circuit does not resonate and an activated state when said resonant circuit resonates whereby said sensor detects the presence of moisture when in the activated state.

Claim 21 has been amended as follows:

21. (Amended) A sensor for detecting the presence of moisture, comprising:

a resonant circuit having a resonance frequency and being at least partly formed from a moisture sensitive material having an electrical resistance which increases when in contact with moisture,

said sensor being arranged to be wirelessly activated by an electromagnetic interrogation field when present in the electromagnetic interrogation field to cause the resonant circuit to start to resonate and thereby generate a response to the electromagnetic interrogation field,

said sensor having an inactive state when said resonant circuit does not resonate and an activated state when said resonant circuit resonates whereby said sensor detects the presence of moisture when in the activated state,

said ~~at least one~~ sensor comprising a microprocessor connected with said resonant circuit and in which an identification code is stored, the identification code being passed to said resonant circuit when said resonant circuit is resonated by an electromagnetic interrogation field.

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MUSERLIAN, LUCAS & MERCANTI, L.L.P.
By: _____
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